



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA, §
Plaintiff, §
§
v. § **Civil Action No. 1:04-CV-716**
\$34,000.00 IN UNITED STATES §
CURRENCY AND/OR COIN, MORE OR §
LESS, WITH ALL ACCUMULATED §
INTEREST THEREON, §
Defendant. §

MEMORANDUM ORDER
ADOPTING THE MAGISTRATE'S REPORT AND RECOMMENDATION

Pursuant to 28 U.S.C. § 636(b)(1)(A) and the Local Rules for the United States District Court, Eastern District of Texas, Appendix B, the Court referred this matter to United States Magistrate Judge Keith F. Giblin for consideration of and recommended disposition of pretrial matters and proceedings. Pending before the Court are the claimant, Anthony Harris' *Motions to Dismiss*.

On August 2, 2005, Judge Giblin issued a *Report and Recommendation* on Mr. Harris' requests for dismissal [Clerk's doc. #19]. Having considered the motions, Judge Giblin recommended that the Court deny the *Motion(s) to Dismiss*.

To date, no party has objected to the *Report and Recommendation*. However, Mr. Harris did file a new *Motion to Dismiss* on August 22, 2005 [Clerk's doc. #21]. He does not present any new

grounds for dismissal. He also did not file specific, written objections to the magistrate's findings and recommendation as required by 28 U.S.C. § 636(b)(1). Therefore, the Court need not conduct a *de novo* review but instead considers whether Judge Giblin's report is clearly erroneous or contrary to law. *Id.*

Accordingly, having considered the *Report and Recommendation* and the record in this cause, the Court agrees with the magistrate's findings and conclusions. The Court therefore **ORDERS** that the Magistrate's *Report and Recommendation on Motion to Dismiss* [Clerk's doc. #19] is **ADOPTED**. The claimant's *Motion(s) to Dismiss* [Clerk's doc. #s 14, 16, 21] are **DENIED**.

SIGNED this the 23 day of **August, 2005**.



Thad Heartfield
United States District Judge